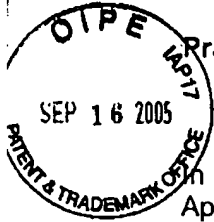


09-19-05

DEP &amp; REF

## BEST AVAILABLE COPY



Practitioner's Docket No. 61508B (1062-007C2)

PATENT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 05 SEP 23 PM 3:49

In re application of: Bart R. Jones

Application No.: 10/796,404

Filed: March 9, 2004

Group No.: 3747

US PATENT & TRADEMARK  
OFFICE

Examiner: McMahon, Marguerite J.

For: ADHESIVELY BONDED ENGINE INTAKE MANIFOLD ASSEMBLY

Mail Stop 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND  
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

## I. REFUND REQUEST

This is a request for a refund, with respect to the charge to Deposit Account 04-1512, shown on the statement dated September 14, 2005, for the above-identified application.

A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

## II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
One Month Extension of Time	\$120.00
<b>TOTAL REFUND REQUESTED</b>	<b>\$120.00</b>

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

## MAILING

[ ] deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## FACSIMILE

transmitted by facsimile to the  
Patent and Trademark Office, (703) \_\_\_\_\_

Signature

*Roni L. Masquelier*

Date: 09-16-05

Roni L. Masquelier

(type or print name of person certifying)

Adjustment date: 11/04/2005 EEKUBAY1  
08/23/2005 RJOHNS02 00000001 041512 10796404  
01 FC:1251 120.00 CR

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III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

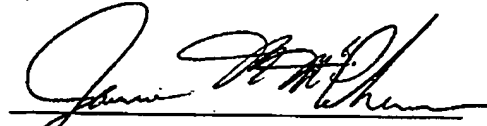
Applicants were charged \$120.00 for a one (1) month extension of time. A copy of the Response and Amendment sent to the USPTO on August 15, 2005 is enclosed.

IV. MANNER OF REFUND

Please make refund by crediting Account No. 04-1512.

Date:

Sept 16, 2005



James M. McPherson  
Registration No. 53,306  
DOBRUSIN & THENNISCH PC  
29 W. Lawrence St., Suite 210  
Pontiac, MI 48342  
248-292-2920  
Customer No. 25215



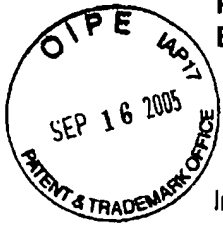
## Deposit Account Statement

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Page 1 of 2

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08/23 255	PCT/US05/28921	DWNS.61794D	1702	\$1,211.00	\$158,784.68
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08/26 4	P110954		1463	\$200.00	\$153,357.68
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Practitioner's Docket No. 61508B (1062-007C2)  
Express Mailing No. EV723403982US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bart R. Jones

Application No.: 10/796,404

Group No.: 3747

Filed: 03/09/2004

Examiner: McMahon, Marguerite J.

For: ADHESIVELY BONDED ENGINE INTAKE MANIFOLD ASSEMBLY

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE AND AMENDMENT

In response to the Office Action mailed August 23, 2005, enclosed is a revised Response to the Office Action originally mailed on January 26, 2005. This revised response is supplemental to the Response mailed on August 15, 2005 and includes a revised listing of the claims in the application. The claim listing now recites "Claims 1-33 (cancelled)" as oppose to "Claims 1-20 (cancelled)".

**IN THE CLAIMS**

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Claims 1-33 (cancelled)

Claim 34 (new): A method for assembling an engine intake manifold comprising the steps of:

providing a first component of an engine intake manifold having an associated first mating surface and a second component having an associated second mating surface, wherein at least one of the first or second components is a plastic material;

placing a cure-on-demand adhesive about the periphery of the first, second or both mating surfaces;

joining the first and second components along the first and second mating surfaces; and

curing the adhesive during a separate and remote curing operation in time, location or both after the placement of the adhesive and the joining of the first and second components.

Claim 35 (new): The method of claim 21, wherein the adhesive is encapsulated and the curing step includes rupturing an encapsulated curing agent.

Claim 36 (new): The method of claim 21, wherein the adhesive includes a protective coating and the curing step includes removing a protective coating to expose the adhesive to ambient conditions.

Claim 37 (new): The method of claim 21, wherein the first, second or both mating surfaces are non-planar.

Claim 38 (new): The method of claim 24, wherein upon joining of the first and second component a joint is formed comprising a butt joint, lap joint or tongue in groove joint.

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Claim 39 (new): The method of claim 25, wherein at least one of the first or second components includes a plastic.

Claim 40 (new): The method of claim 21, wherein the plastic material forming at least one of the first or second components include a filled polyamide.

Claim 41 (new): The method of claim 21, further comprising the step of mechanically attaching the first and second components with a mechanical attachment feature.

Claim 42 (new): The method of claim 28, wherein the mechanical attachment feature comprises a snap fitting.

Claim 43 (new): The method of claim 21, wherein the adhesive includes a high temperature epoxy resin adhesive.

Claim 44 (new): The method of claim 21, wherein the adhesive includes a high temperature mineral filled catalyzed adhesive.

Claim 45 (new): A method for assembling an engine intake manifold comprising the steps of:

providing a first thermoplastic component of an engine intake manifold having an associated first mating surface and a second thermoplastic component having an associated second mating surface, wherein the first and second mating surfaces are non-planar;

placing a continuous bead or film of high temperature epoxy resin cure-on-demand adhesive about the periphery of the first, second or both mating surfaces;

joining the first and second components along the first and second mating surfaces, wherein upon joining the first and second mating surfaces are spatially located at a predetermined distance relative to one another; and

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curing the adhesive during a separate and remote operation in time, location or both after the placement of the adhesive, wherein upon curing of the adhesive a joint is formed having a strength greater than the strength of the second thermoplastic component.

Claim 46 (new): A method for assembling an engine intake manifold comprising the steps of:

providing a first thermoplastic component having an associated first non-planar mating surface and a second thermoplastic component having an associated second non-planar mating surface, wherein the first, second or both components include an integrally formed mechanical attachment feature configured for engaging the other first or second component;

placing a continuous bead or film of high temperature epoxy resin adhesive about the periphery of the first, second or both mating surfaces; and

joining the first and second components wherein the mechanical attachment feature maintains spatial relationship of the first and second components during curing of the adhesive and the resulting joint has a strength greater than the strength of said second molded plastic component.

Claim 47 (new): The method of claim 33, wherein the first, second or both components are filled or other includes a reinforcing material.

Claim 48 (new): The method of claim 33, wherein the plastic material forming at least one of the first or second components includes a filled polyamide.

Claim 49 (new): The method of claim 35, wherein the adhesive includes a high temperature epoxy resin adhesive.

Claim 50 (new): The method of claim 35, wherein the adhesive includes a high temperature mineral filled catalyzed adhesive.

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Claim 51 (new): The method of claim 33, wherein the mechanical attachment comprises a snap fit configured for providing an audible indicator upon joining of the first and second component.

Claim 52 (new): The method of claim 33, wherein upon joining of the first and second component a joint is formed comprising a butt joint, lap joint or tongue in groove joint.

Claim 53 (new): The method of claim 33, further comprising the step curing the adhesive during a separate and remote curing operation in time, location or both after the placement of the adhesive and the joining of the first and second thermoplastic components.



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### REMARKS

Claims 34-53 are now pending in the application. Claims 1-33 have been cancelled thereby rendering the rejections and/or objections to these claims moot. The purpose of this amendment is to claim subject matter not previously claimed. Applicants believe new claims 34-53 are fully supported by the application as filed and include features not taught or suggest by the prior art of record. The foregoing amendments are taken in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicant would otherwise be entitled in view of the prior art.

By amending the application, the Applicants do not concede that the patent coverage available to them would not extend as far as the original claim. Rather, Applicants reserve the right to file a continuation application to pursue the breadth of the claims as filed. Applicants believe that the Examiner has not made a sufficient showing of inherency of the teachings of the asserted prior art, especially given the lack of teachings in the cited references of the properties that Applicants have recited in their claims.

Further, by the present amendment, it does not follow that the amended claims have become so perfect in their description that no one could devise an equivalent. After amendment, as before, limitations in the ability to describe the present invention in language in the patent claims naturally prevent the Applicants from capturing every nuance of the invention or describing with complete precision the range of its novelty or every possible equivalent. See, Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 62 USPQ2d 1705 (2002). Accordingly, the foregoing amendments are made specifically in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled.

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CONCLUSIONS

In view of Applicants' amendments and remarks, the Examiner's rejections are believed to be rendered moot. Accordingly, Applicants submit that the present application is in condition for allowance and requests that the Examiner pass the case to issue at the earliest convenience. Should the Examiner have any question or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned at (248) 292-2920.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 04-1512 for any fee which may be due.

Date:

Sept 13 2005



James M. McPherson  
Registration No. 53,306  
Dobrusin & Thennisch PC  
29 W. Lawrence Street,  
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248-292-2920  
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Customer No. 25,215

09-19-05

TFW

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bart R. Jones

Application No.: 10/796,404

Group No.: 3747

Filed: 03/09/2004

Examiner: McMahon, M. J.

For: ADHESIVELY BONDED ENGINE INTAKE MANIFOLD ASSEMBLY

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

G with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

G as "Express Mail Post Office to Addressee"  
Mailing Label No. EV723403982US (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Signature

Date: 09-16-05

Roni L. Masquelier

(type or print name of person certifying)

\* Only the date of filing ( 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" ( 1.10) or facsimile transmission ( 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	20	- 20	= 0	x \$ 50.00	= \$	0.00	
INDEP.	3	- 3	= 0	x \$ 200.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00	
TOTAL ADDIT. FEE					\$	0.00	

No additional fee for claims is required.

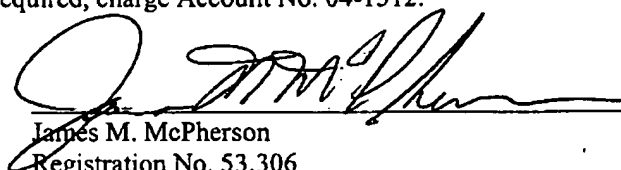
## FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 04-1512.

If an additional fee for claims is required, charge Account No. 04-1512.

Date:

Sept 13, 2005



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Registration No. 53,306  
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Customer No. 25215